

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 04-051)

In re Applicat	ion of:	)	
	Brian T. Cunningham.	)	Group Art Unit: 2874
		)	
Serial No.:	10/812,635	)	
		)	·
Filed:	March 29, 2004	)	
For: Photon	nic Crystal Defect Cavity Biosensor	)	Confirmation No. 3485
	TRANSMITTA	TT	БТТБР
Mail Stop Mis		LL	ETTER
Commissione	<del>-</del>		
P.O Box 1450			
	/ irginia 22313-1450		
In rega	ard to the above identified application	1:	
1 377	a are transmitting haravrith the attache	ođ.	
1. W	e are transmitting herewith the attached attached attached 1. Information Disclosure State		nt.
	2. Form PTO-1449		
	3. Cited reference		
	4. Return postcard		
<b>2</b> W/-	ith respect to additional fees:		
<b>2.</b> W.	A. $X$ No additional fee is requ	iired	1
	B. Attached is a check in the		
	<del></del>		tee to our Deposit Account No. 13-2490.
3 Ple			overpayment to Deposit Account No. 13-
	icate copy of this sheet is enclosed.	cart	ovorpayment to Deposit Treecount 10. 15
-	+ -	DEI	R 37 CFR § 1.8: The undersigned hereby

certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia, 22313-1450 on this // day of August 2004.

Thomas A. Fairhall Reg. No. 34,591

McDONNELL BOEHNEN HULBERT & BERGHOFF LLP 300 SOUTH WACKER DRIVE CHICAGO, ILLINOIS 60600 TELEPHONE (312) 913-0001 FACSIMILE: (312) 913-0002

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#### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicant wishes to make the following references and information of record in the above-identified application. The reference is also listed in the PTO-1449 form enclosed herewith. A copy of the reference is enclosed. It is requested that the reference and information be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

In the judgment of the undersigned, portions of the reference may be material to the examination of the pending claims. No representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§ 102 or 103.

McDonnell Boehnen Hulbert & Berghoff LLP 300 South Wacker Drive Chicago, Illinois 60606

Telephone: (312) 913-0001 Facsimile: (312) 913-0002



#### CITED REFERENCES

## **Other Documents:**

1. A. Scherer, T. Yoshie, M. Lončar, J. Vučković, K. Okamoto, *Photonic Crystal* Nanocavities for Efficient Light Confinement and Emission, Journal of the Korean Physical Society, Vol. 42, Supp. 2, pp. 768~773, 2003.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: 8/11/04

Thomas A. Fairhall

Reg. No. 34,591

#### **CERTIFICATE OF MAILING**

The undersigned hereby certifies that this Information Disclosure Statement is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on this // day of August 2004

Chicago, Illinois 60606 Telephone: (312) 913-0001 Facsimile: (312) 913-0002

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No.	Serial No.
OIPE	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	04-051	10/812,635
B AUS 1 6 2004		Applicant: Brian Cunningha	m
A STOEMPER C	<del>Ç</del>	Filing Date: 03/29/2004	Group: 2874

### **U.S. PATENT DOCUMENTS**

II .	miner itial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

#### **FOREIGN PATENT DOCUMENTS**

		Docun	nent	Num	ber	D	Date Country	Country	, Cla	Class	Subclass	Translation	
											Yes	No	
				2 4									

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	A. Scherer, T. Yoshie, M. Lončar, J. Vučković, K. Okamoto, <i>Photonic Crystal Nanocavities for Efficient Light Confinement and Emission</i> , Journal of the Korean Physical Society, Vol. 42, Supp. 2, pp. 768~773, 2003.
EXAMINER	 DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.